

Senate Study Bill 3003 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED BOARD OF PHARMACY
BILL)

A BILL FOR

1 An Act relating to access to the information program for drug
2 prescribing and dispensing administered by the board of
3 pharmacy.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **124.550 Definitions.**

2 For purposes of this division, unless the context otherwise
3 requires:

4 1. "*Pharmacist*" means a practicing pharmacist who is
5 actively engaged in and responsible for the pharmaceutical care
6 of the patient about whom information is requested.

7 2. "*Prescribing practitioner*" means a practitioner who
8 has prescribed or is contemplating the authorization of
9 a prescription for the patient about whom information is
10 requested.

11 Sec. 2. Section 124.551, Code 2016, is amended to read as
12 follows:

13 **124.551 Information program for drug prescribing and**
14 **dispensing.**

15 1. Contingent upon the receipt of funds pursuant to section
16 124.557 sufficient to carry out the purposes of **this division**,
17 the board, in conjunction with the advisory council created in
18 section 124.555, shall establish and maintain an information
19 program for drug prescribing and dispensing.

20 2. The program shall collect from pharmacies dispensing
21 information for controlled substances identified pursuant to
22 section 124.554, subsection 1, paragraph "g". The information
23 collected shall be used by prescribing practitioners and
24 pharmacists on a need-to-know basis for purposes of improving
25 patient health care by facilitating early identification of
26 patients who may be at risk for addiction, or who may be
27 using, abusing, or diverting drugs for unlawful or otherwise
28 unauthorized purposes at risk to themselves and others, or
29 who may be appropriately using controlled substances lawfully
30 prescribed for them but unknown to the practitioner. ~~For~~
31 ~~purposes of **this division**, "*prescribing practitioner*" means~~
32 ~~a practitioner who has prescribed or is contemplating the~~
33 ~~authorization of a prescription for the patient about whom~~
34 ~~information is requested, and "*pharmacist*" means a practicing~~
35 ~~pharmacist who is actively engaged in and responsible for the~~

3 3. The board shall implement technological improvements
4 to facilitate secure access to the program through electronic
5 health and pharmacy information systems. The board shall
6 collect, store, and disseminate program information consistent
7 with security criteria established by rule, including use of
8 appropriate encryption or other industry-recognized security
9 technology.

10 4. The board shall seek any federal waiver necessary to
11 implement the provisions of the program.

12 Sec. 3. Section 124.553, subsection 1, Code 2016, is amended
13 by adding the following new paragraph:

14 NEW PARAGRAPH. *e.* An institutional user established by
15 the board to facilitate the secure access of a prescribing
16 practitioner or pharmacist to the program through electronic
17 health and pharmacy information systems.

18 Sec. 4. Section 124.553, subsection 2, Code 2016, is amended
19 to read as follows:

20 2. The board shall maintain a record of each person that
21 requests information from the program. Pursuant to rules
22 adopted by the board and advisory council under section
23 124.554, the board may use the records to document and report
24 statistical information, and may provide program information
25 for statistical, public research, public policy, or educational
26 purposes, after removing personal identifying information of a
27 patient, prescribing practitioner, dispenser, or other person
28 who is identified in the information.

29	EXPLANATION
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30 The inclusion of this explanation does not constitute agreement with
31 the explanation's substance by the members of the general assembly.

32 This bill relates to the information program for drug
33 prescribing and dispensing administered by the board of
34 pharmacy. The information program for drug prescribing and
35 dispensing is also known as the Iowa prescription monitoring

1 program.

2 The bill enhances the readability of Code section 124.551
3 by reorganizing the section into subsections and striking the
4 definitions for "pharmacist" and "prescribing practitioner"
5 applicable to division VI of Code chapter 124 and reinserting
6 these definitions in new Code section 124.550.

7 The bill also directs the board of pharmacy to implement
8 improvements to facilitate secure access to the Iowa
9 prescription monitoring program through electronic health and
10 pharmacy information systems. The bill authorizes the board
11 of pharmacy to provide Iowa prescription monitoring program
12 information to an institutional user established by the board
13 to facilitate the secure access of a prescribing practitioner
14 or pharmacist to the program through electronic health and
15 pharmacy information systems.

16 The bill also authorizes the release of Iowa prescription
17 monitoring program information for statistical, public
18 research, public policy, or educational purposes, if all
19 patient, prescribing practitioner, dispenser, or other personal
20 identifying information has first been removed.